

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Pat Apple at 1:30 p.m. on February 2, 2009, in Room 446-N of the Capitol.

All members were present.

Committee staff present:

Mike Corrigan, Office of the Revisor of Statutes
Melissa Doeblin, Office of the Revisor of Statutes
Raney Gilliland, Kansas Legislative Research Department
Cindy Lash, Kansas Legislative Research Department
Ann McMorris, Committee Assistant

Conferees appearing before the committee:

Kim Winn, League of Kansas Municipalities
Michael Murray, Embarq
Patrick Fucik, Sprint

Others attending:

See attached list.

Chair continued the hearing on:

SB 48 - Enhanced wireless and VoIP 911 service amendments, collection and disbursement of certain funds.

Neutral

Kim Winn, League of Kansas Municipalities, noted LKM had been involved for about 10 years in E911 and support the system. They are available to work with the committee and others on this bill.

Michael Murray, Embarq, noted members of the telecommunications industry came to a consensus on a few principles. He discussed concerns and suggestions to improve the bill. (1) Five years is a more appropriate length of time to extend the bill, given the rapidly changing technologies. (2) It is important for the less populated areas to have the grant fund to draw from to implement and maintain E911 services. (3) Prefer the current wording regarding appropriate use of 911 funds. (4) Principal concern of Embarq is the matter of parity. (Attachment 1)

Patrick Fucik, Sprint, addressed two areas of the bill; (1) the issue of carrier cost recovery to reimburse carriers for their ongoing costs in deploying 911 and E911 services. (2) the second issue deals with the collection of the E911 grant fee in the amount of 1% of the retail price of any prepaid wireless services sold in Kansas. (Attachment 2)

Written testimony only from:

Dina Fisk, Verizon (Attachment 3)
Ron DeGarmo, Kansas Legislative Policy Group (Attachment 4)

Chair opened for questions. Committee asked for more data on sales of prepaid wireless services. Discussion on the requirement for audit contained in the bill. On the matter of parity, the demand for services from wireless is greater than on wireline.

At this point, the Chair asked the committee for their input on areas of the bill where more information would be helpful. Areas noted were (1) 10 year period; (2) post audit requirements; (3) definition on use of funds; (4) parity between wireless and wireline.

Other issues of concern were policy issues regarding “emergency communications system”; replacement of equipment - who should finance it; more information on parity (Embarq will provide this); possibility of consolidation; more information on use of towers; interfacing with Homeland Security.

CONTINUATION SHEET

Minutes of the Senate Utilities Committee at 1:30 p.m. on February 2, 2009, in Room 446-N of the Capitol.

Chair announced the hearing on **SB 48** would remain open and further information would be presented at the committee meeting on February 3, 2009.

The next meeting is scheduled for February 3, 2009.

The meeting was adjourned at 2:30 p.m.

Respectfully submitted,

Ann McMorris
Committee Assistant

Attachments - 4